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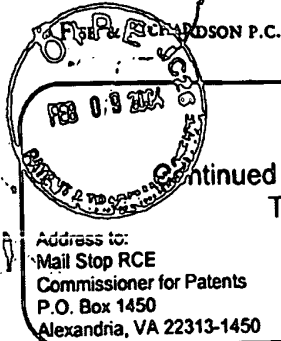
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# Request For Continued Examination (RCE) Transmittal



Application Number	09/931,973
Filing Date	August 17, 2001
First Named Inventor	Yousuke Yamada
Group Art Unit	1723
Examiner Name	Krishnan S. Menon
Attorney Docket Number	10417-091001

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. §1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s)
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendment filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other \_\_\_\_\_
3. **Fee** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1050
- i. ☐ RCE fee required under 37 CFR 1.17(e) 02/11/2004 SDENB081 00000053 061050 09931973
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 02 FC:1801 20.00 DA 750.00 DP
- iii. ☒ Other Any deficiencies
- b. ☒ Check in the amount of \$ 1,170 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

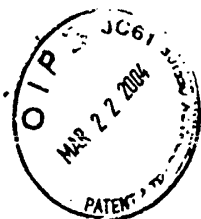
Name (Print/Type)	Samuel Borodach	Registration No. (Attorney/Agent)	38,388
Signature	<i>Samuel Borodach</i>	Date	2/6/2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Patricia F. Suchanek	Date	February 6, 2004
Signature	<i>Patricia F. Suchanek</i>		

Adjustment date: 04/08/2004 SDIRETA1  
02/13/2004 REUTER 00000005 061050 09931973  
01 FC:1252 420.00 GR



Attorney's Docket No.: 10417-091001 / F51-137504M/KIK

Dep & Ref

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yousuke Yamada  
Serial No. : 09/931,973  
Filed : August 17, 2001  
Title : FILTER DEVICE

Art Unit : 1723  
Examiner : Krishnan S. Menon

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND

On or about February 6, 2004, Applicants paid the required fee for filing a Petition for a Two Month Extension of Time by way of an enclosed check in the amount of \$1170.00, which included the fee of \$420 for the extension of time. A copy of the check for \$1170 is enclosed.

On February 29, 2004, a fee in the amount of \$420 was charged to Fish & Richardson's Deposit Account No. 06-1050.

Accordingly, the charge to Deposit Account No. 06-1050 was improper, as all fees had previously been satisfied. Applicants respectfully request that the overcharge amount of \$420 be refunded to Fish & Richardson's Deposit Account No. 06-1050 as a credit.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 19, 2004  
Date of Deposit  
Signature Paula T. Romeo

Paula T. Romeo  
Typed or Printed Name of Person Signing Certificate

Applicant : Yousuke Yamada  
Serial No. : 09/931,973  
Filed : August 17, 2001  
Page : 2 of 2

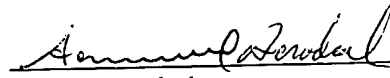
Attorney's Docket No.: 10417-091001 / F51-  
137504M/KIK

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Respectfully submitted,

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Date: 3/19/04



Samuel Borodach  
Reg. No. 38,388

Fish & Richardson P.C.  
45 Rockefeller Plaza, Suite 2800  
New York, New York 10111  
Telephone: (212) 765-5070  
Facsimile: (212) 258-2291

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FISH & RICHARDSON P.C.

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Boston, Massachusetts  
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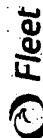
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10417-091001

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